

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 135 OF 2007  
IN  
FAMILY COURT APPEAL NO. 85 OF 2007

Mrs.Sangeeta Prashant Khopkar ...Applicant  
V/s.  
Dr.Prashant Mohan Khopkar ...Respondent

Mr.O.S. Kutty i/b. Mr.Sandip S. Jinsiwale for the  
Applicant.  
Mr.Ajay Sawant for the Respondent.

CORAM : D.K. DESHMUKH &  
V.M. KANADE, JJ.

DATED : NOVEMBER 21, 2007

P.C. :-

. This civil application is taken out by the wife who is praying for stay of decree of divorce granted on a petition filed by the husband. Appeal against the decree for divorce has been admitted.

2. The learned Counsel for the respondent stated before us that the respondent intends to remarry. If the respondent is permitted to remarry, then appeal itself may become infructuous. In any case, remarriage may involve innocent third party. Therefore, we will have to stay the decree for divorce.

3. Civil Application, therefore, is granted in terms of prayer clause (b).

. Civil Application is disposed of.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)